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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

11 Riley Moore, No. 2:24-cv-01105-KJM-JDP
12 Plaintiff ORDER

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14 Walmart, Inc.; Walmart LLC; Wal-Mart Stores,
15 Inc., a corporation; Wal-Mart Associates, Inc.,
16 a corporation; Sonia Melchor, an individual;
Magali Bedolla, an individual; and Does 1 to
100, inclusive.

Defendants.

19 Plaintiff Riley Moore argues this court lacks diversity jurisdiction and moves to remand
20 this matter to state court. Defendants Walmart Inc. and Wal-Mart Associates, Inc. oppose.¹ For
21 the reasons explained below, the court **grants** the motion to remand.

22 | L. BACKGROUND

23 Moore, previously employed at a Wal-Mart store, brought this action for wrongful
24 termination in violation of public policy, disability discrimination, disability harassment, failure
25 to accommodate, failure to engage in interactive process, retaliation in violation of the Fair

¹ Defendants argue Walmart Inc. and Wal-Mart Associates are the proper defendants and Moore incorrectly sued “Walmart, Inc.”; “Wal-Mart Stores, Inc.”; and “Walmart LLC.” See Opp’n at 1, ECF No. 5. The court need not and does not resolve that dispute.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT PAPER

01222004

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

It is unclear to the examiner what claims are pending in the above named application. Applicant's appeal brief has been received 21 October 2003, however, the attached document has been received 8 December 2003 cancelling pending claims 5-12. Claims 5 to 12 are repeated below but there do not appear to be any amendments to the claims and the numbering of the claims are the same.

§ 1.126 Numbering of claims.

The original numbering of the claims must be preserved throughout the prosecution. When claims are canceled the remaining claims must not be renumbered. When claims are added, they must be numbered by the applicant consecutively beginning with the number next following the highest numbered claim previously presented (whether entered or not). When the application is ready for allowance, the examiner, if necessary, will renumber the claims consecutively in the order in which they appear or in such order as may have been requested by applicant.

PRIMARY EXAMINER
12/12/2003
[Signature]